

City Council  
Atlanta, Georgia

03-0-1989

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-03-70  
10-14-03

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,  
as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **2420-2436 Cheshire Bridge Road, N.E.** be changed from the **C-1 (Community Business)** District, to the **PD-H (Planned Development-Housing)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 6 of the 17<sup>th</sup> District of **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

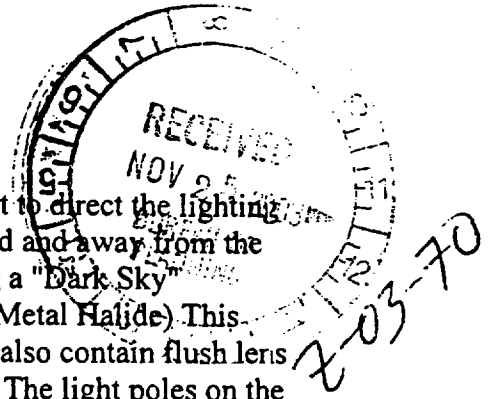
SECTION 4. That all ordinance or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

### CONDITIONS FOR Z-03-70

1. Site plan entitled "Highlands Cheshire Bridge prepared by The Preston Partnership, LLC, dated November 21, 2003 and marked received by the Bureau of Planning November 25, 2003.
2. The attached document entitled "Zoning Conditions for Z-03-70" consisting of one (1) page and identified as Exhibit A is hereby considered a condition of this rezoning and its provisions shall be enforced as such except #3 which is hereby deleted.



## ZONING CONDITIONS FOR Z-03-70



1. **Parking Deck Lighting:** Highlands will utilize every effort to direct the lighting within and on the upper level of the parking structure inward and away from the contiguous homeowners. This will be achieved by utilizing a "Dark Sky" approved cut-off fixture. (Gardco - Form 10 square 250W Metal Halide) This fixture will direct the light downwards only. These fixtures also contain flush lens which prevents any light from being projected to the sides. The light poles on the upper level of the deck will be 12 feet in height and will be equipped with a "House Side Shield". This feature will block light in the direction of the adjacent neighbors and allow light to be thrown forward on the deck towards the Highlands building.

On the rear elevation of the parking structure, on the upper (2) levels we will provide a screening material at head lamp height to block any lights from casing on to the adjacent neighbors.

2. **Front Facade Building Lighting:** Highlands will utilize small lighting lamps attached to the exterior of the building for the sole purpose of providing sufficient light for a each unit balcony. The fixture will be designed for a maximum of a 100 watt bulb. In addition, there may be some low voltage landscape lighting located within the planter areas along the front of the building. These fixtures will be designed to provide lighting to illuminate any plant material during nighttime hours. These lights will be architectural in nature and not throw light on any adjacent properties.

3. ~~**Tree Ordinance:** We will agree for the purposes of the tree ordinance that the development will be evaluated in its condition prior to any land disturbance for the purpose of installing the utility pipe. With respect to any tree recompense that may be required due to the inability to plant sufficient trees on our property we will get credit for the trees planted on the adjacent neighbors property directly abutting our property for the purpose of providing additional screening, pursuant to items below, and will spend any recompense funds to provide any recompense plantings within the Lindridge Martin Manor neighborhood.~~

4. **Driveway Conditions:** Highlands will agree that a minimum of 25% of the driveways on the north and the south side of the development will be constructed of material that provides for water permeation into the ground, such as a paver system or grass Crete.

5. **Parking Deck Screening:** In an effort to provide additional screening along the property line at the rear of the site, Highlands will plant bamboo to provide a screening of the parking structure from the contiguous neighbors. In addition, Highlands will plant landscaping to provide additional screening of the deck on the rear of the properties at 1082, 1088, 1094 and 1100 Lindridge Drive.

EXHIBIT "A"

2-03-70

All that tract or parcel of land lying and being in Land Lot 6 of the 17th District, Fulton County, Georgia, and being more particularly described as follows:

To find the True Point of Beginning, commence at a point formed by the intersection of the northern right-of-way line of Lindberg Drive (having a forty (40') foot right-of-way) and the western right-of-way line of Cheshire Bridge Road (having a sixty (60') foot right-of-way); run thence along the western right-of-way line of Cheshire Bridge Road in a northwesterly direction a distance of 700.15 feet to an iron pin found on the western right-of-way line of Cheshire Bridge Road; run thence along the western right-of-way line of Cheshire Bridge Road in a northwesterly direction a distance of 82.15 feet to a point located on the western right-of-way line of Cheshire Bridge Road, said point being the **True Point of Beginning**; from the True Point of Beginning, as thus established, and leaving said western right-of-way line of Cheshire Bridge Road, run North 89 degrees 32 minutes 33 seconds West a distance of 335.47 feet to an iron pin found; run thence North 26 degrees 41 minutes 59 seconds West a distance of 90.75 feet to an iron pin found; run thence North 25 degrees 35 minutes 15 seconds West a distance of 61.78 feet to an iron pin found; run thence North 27 degrees 35 minutes 43 seconds West a distance of 106.72 feet to an iron pin found; run thence South 89 degrees 35 minutes 00 seconds East a distance of 165.33 feet to an iron pin found; run thence North 07 degrees 41 minutes 27 seconds West a distance of 86.49 feet to an iron pin found; run thence South 89 degrees 35 minutes 00 seconds East a distance of 266.38 feet to an iron pin found on the western right-of-way line of Cheshire Bridge Road; run thence along said western right-of-way line of Cheshire Bridge Road South 03 degrees 36 minutes 13 seconds East a distance of 85.84 feet to an iron pin found; run thence South 06 degrees 37 minutes 34 seconds East a distance of 232.51 feet to an iron pin found located on the western right-of-way line of Cheshire Bridge Road, said point being the **True Point of Beginning**.

The above-described property contains approximately 110,156 square feet (2.53 acres).

